REMARKS

Claims 1, 3-8, 10-15, 17-21, 27-28 and 34 have been canceled to focus the prosecution on the preferred embodiment of the invention shown and described in relation to Figures 1-2.

In effect, claim 22 recites a protocol for peer-to-peer forwarding of digital rights management content from a first mobile phone to a second mobile phone in a wireless network having a network infrastructure. The whole thrust of the protocol is to enable the digital rights management content to be consumed by the second mobile phone without content personalization assistance from the network infrastructure of the wireless network.

In particular, as shown in the block diagram in Figure 2, the protocol calls for a unique exchange and verification of public and private digital rights management keys between the first and second mobile phones. For example, the protocol in claim 22 calls for sending a digital rights management device certificate containing a public digital rights management key from the second mobile phone to the first mobile phone; and signing encrypted digital rights management content or content encryption key using a private digital rights management key of the first mobile phone. Then, the protocol in claim 22 calls for applying a private digital rights management key of the second mobile phone, if the private digital rights management key of the first mobile phone is verified. The end result of this unique exchange and verification is that the digital rights management content may be consumed by the second mobile phone without content personalization assistance from the network infrastructure of the wireless network.

Independent claim 22 is rejected based on a proposed four reference combination, including Safadi, et al., Bloebaum, Vogel. and Mott et al.

It is respectfully submitted that the cited prior art references disclose very different techniques for exchanging content between two device, none of which is even remotely suggestive of the protocol recited in claim 22.

For example, in Figure 1 Safadi discloses a protocol for providing content over a playback area network (PAN) 20 from a personal versatile recorder (PVR) 10 to an auxiliary device or component 30 (hereinafter "receiver/playback device 30") that may take the form of a cell phone. In operation, the protocol includes using a public-key encryption format along with a digital certificate, where the PVR 10 provides the public key and certificates to the receiver/playback device 30, as described in paragraphs 36-37 of Safadi. The keys used to encrypt and decrypt the content are specific to a particular PVR; and the private-public key pair is stored securely in hardware located within the PVR 10, as described in Safadi, paragraph 36. The receiver/playback device 30 authenticates itself to the PVR 10 by providing a certificate and requesting verification of the certificate, then requesting a certificate from the PVR 10, as described in paragraph 41 of Safadi. In order for content to be provided from the personal versatile recorder (PVR) 10 to the receiver/playback device 30, the PVR 10 must register the auxiliary device or component 30, as described in Safadi, paragraph 42. The registration involves communication with a headend to determine if the auxiliary device or component 30 is approved.

It is respectfully submitted that Safadi's protocol technique is very different than the protocol recited in claim 22, since it does not involve the claimed exchange and verification of both public and private digital rights management keys of first and second mobile phones. For example, claim 22 recites that the method features sending a digital rights management device certificate containing a public digital rights management key from the second mobile phone to

the first mobile phone. In contrast to the claimed invention, in Safadi the auxiliary device or component 30 does not send to the personal versatile recorder (PVR) 10 a digital rights device certificate containing a public digital rights management key. Instead, the PVR 10 provides the public key and certificates to the receiver/playback device 30, as described in paragraph 37 of Safadi.

Bloebaum discloses a peer to peer exchange of information between GPS-MS 20 and 24 in a radio network shown in Figure 1 based on the formation of hierarchical groups for information sharing. Instead, the reasoning in the office action is merely citing Bloebaum for disclosing the exchange of content between mobile phones. In view of this, it is respectfully submitted that Bloebaum clearly is not being cited for, and surely does not teach or suggest, that its exchange of information is based on, or in any way related to, an exchange and verification of both public and private digital rights management keys of first and second mobile phones, as recited in claim 22.

Vogel discloses a system architecture and addressing for a GSM system, and is being cited in the office action for the teaching that communication devices may register with the network by sending an International Mobile Station Equipment Identity (IMEI). It is respectfully submitted that, similar to Bloebaum, Vogel clearly is also not being cited for, and surely does not teach or suggest, that its exchange of information in its GSM system is based on, or in any way related to, an exchange and verification of both public and private digital rights management keys of first and second mobile phones, as recited in claim 22.

Finally, Mott discloses a technique for targeting a digital information playback device, such as device 212 in Figure 2, and is being cited in the office action for teaching of appending a digital signature to downloaded content in order to be able to verify the data. It is respectfully

submitted that, similar to Bloebaum and Vogel, Mott clearly is also not being cited for, and surely does not teach or suggest, that its exchange of information in its system is based on, or in any way related to, an exchange and verification of both public and private digital rights management keys of first and second mobile phones, as recited in claim 22.

The remaining claims depend from claim 22, contain all the limitations thereof and are deemed patentability over the cited prior art combination for all the same reasons.

Reconsideration and early allowance is earnest solicited.

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